

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)		
)	CHAPTER:	13
VALERIE RENEE GOODRICH,)	CASE NO.:	16-02528
)	JUDGE:	WALKER
Debtor.)		

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: May 1, 2018
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: May 9, 2018, at 8:30
a.m. in Courtroom 1, Customs House, 701 Broadway, Nashville, Tennessee 37203

**NOTICE OF MOTION TO SUSPEND PLAN PAYMENTS AND TO MODIFY
CHAPTER 13 PLAN**

Debtor has asked the court for the following relief: To suspend plan payments and to modify her confirmed Chapter 13 Plan.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: U.S. Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by viewing the case on the Court's website at <https://ecf.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: April 10, 2018

Signature: /s/ Gray Waldron
Name: Gray Waldron
Address: 1106 18th Avenue South
Nashville, TN 37212

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

VALERIE GOODRICH,

Debtor.

)
)
)
)
)

CHAPTER: 13
CASE NO.: 16-02528
JUDGE: WALKER

**MOTION TO SUSPEND PLAN PAYMENTS AND
TO MODIFY CHAPTER 13 PLAN**

The Debtor, through undersigned counsel, moves to suspend plan payments for the months of April, May, and June, 2018, and to modify her Chapter 13 Plan. In support of this motion, the Debtor states as follows:

1. The Debtor initiated this bankruptcy case by filing a Petition for Chapter 13 relief on April 11, 2016.
2. The Court entered an Order confirming the Debtor's Chapter 13 Plan on June 21, 2016 (the "Confirmation Order") [Docket No. 24].
3. Pursuant to the Confirmation Order, the Debtor is to make payments of \$1,221.00 bi-weekly to the Chapter 13 Trustee.
4. Ms. Goodrich lost her job on March 13, 2018, and received a severance of \$18,000.00 which will be used to pay her ongoing monthly expenses for the suspended months as reflected in the attached budget. Debtor will now be actively seeking replacement employment. Based on this change in circumstances, the Debtor will be temporarily unable to fully fund her Chapter 13 Plan while meeting her necessary living expenses; therefore, she is requesting a three (3) month suspension of her plan payments for the months of April, May, and June, 2018.
5. The Debtor anticipates regaining the ability to fully fund her Chapter 13 Plan in the modified amount proposed herein in July, 2018.

6. Secured creditor Insolve Auto Funding and United States Treasury will miss three (3) monthly disbursements from the Trustee for their claims during the suspended months.

7. Classified unsecured creditor ECMC would miss three (3) monthly disbursements from the Trustee for its claims during the suspended months.

8. For July, 2018, through the remaining term of the plan, the Debtor moves to modify her payments to the Trustee from \$1,221.00 bi-weekly to \$1,304.25 bi-weekly.

9. As a result of the proposed suspension and plan modification, the guaranteed minimum dividend to allowed unsecured claims would remain zero percent (0%), the plan base would remain \$158,700.00, the unsecured pool would remain non-applicable, and the plan would complete over a plan length not to exceed sixty (60) months from confirmation.

10. The payment to United States Treasury would increase from \$246.00 per month to \$264.86 per month upon plan resumption.

11. The Debtor would continue to dedicate all future income tax refunds to the Trustee for the life of the plan, which would first be applied towards curing the defaults to secured and classified unsecured creditors. In addition, the case would continue on a probationary basis subject to dismissal upon application of the Trustee following a future unauthorized default in plan payments.

12. Attached to this motion is an Amended Family Budget, which reflects the current monthly income and expenses of the Debtor and details changes since the last budget.

13. The Debtor is scheduled to attend the Trustee's Money Management Workshop on April 24, 2018 or within 45 days of the Order being granted.

Respectfully Submitted,

/s/ Gray Waldron

TIMOTHY G. NIARHOS

GRAY WALDRON

REBECCA J. YIELDING

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rebecca@niarhos.com

Attorneys for Debtor

CERTIFICATE OF SERVICE

I certify that on this 10th day of April, 2018, I served a copy of the foregoing in the following manner:

Email by Electronic Case Noticing to:

U.S. Trustee

Henry E. Hildebrand, III, Chapter 13 Trustee

By U.S. Postal Service, postage prepaid to:

All interested parties listed on the below matrix.

/s/ Gray Waldron

GRAY WALDRON

TOTAL 1ST CLASS MAILINGS: 3

Matrix

Insolve Auto Funding, LLC

c/o Capital Recovery

Dept 3403

P O Box 123403

Dallas, TX 75312-3403

United States Treasury/Internal Revenue Service

Centralized Insolvency Office

P O Box 7346

Philadelphia, PA 19101-7346

Navient Solutions, Inc. on behalf of
Educational Credit Management Corporation
P.O. Box 16408
St Paul MN 55116-0408

Valerie Renee Goodrich
1684 Stokley Lane
Old Hickory, TN 37138-2358

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:)		CASE NO:	16-02528
)		CHAPTER	13
Valeria Renee Goodrich)		JUDGE	Walker
)			
Debtor(s))			

AMENDED MONTHLY FAMILY BUDGET

Dates of Budgets:		Prior Budget*	Current Budget*
		4/11/2016	4/10/2018
<u>EXPENSES</u>			
Rent/Mortgage Payment:		\$ 2,600.00	\$ 2,100.00
Real estate taxes:		\$ -	\$ -
Property, homeowner's, or renter's insurance:		\$ 50.00	\$ 50.00
Home maintenance, repair, and upkeep expenses:		\$ -	\$ -
Homeowner's association or condominium dues:		\$ -	\$ -
Real estate taxes:		\$ -	\$ -
Real estate taxes:		\$ -	\$ -
Utilities:	<u>Prior*</u>	<u>Current*</u>	
Electric, heat, natural gas:	\$ 400.00	\$ 150.00	
Water, sewer, garbage:	\$ 50.00	\$ 25.00	
Telephone, cell, internet, cable:	\$ 300.00	\$ 700.00	
Pest Control	\$ 50.00	\$ 50.00	
Alarm/Security	\$ 50.00	\$ 50.00	
Other: Trash/Lawn Care	\$ 220.00	\$ 220.00	
Total Utilities:		\$ 1,070.00	\$ 1,195.00
Food and housekeeping supplies:		\$ 400.00	\$ 400.00
Childcare and education costs:		\$ -	\$ -
Clothing / laundry & dry cleaning:		\$ 75.00	\$ 75.00
Personal care products & services:		\$ 50.00	\$ 50.00
Medical & dental expenses:		\$ -	\$ -
Transportation:		\$ 200.00	\$ 120.00
Entertainment/recreation:		\$ 25.00	\$ 25.00
Charitable contributions:		\$ 1,000.00	\$ -
Insurance (not deducted from wages):			
Life:	\$ 88.00	\$ 88.00	
Health:	\$ -	\$ -	
Auto:	\$ 100.00	\$ 400.00	
Other: Cobra	\$ -	\$ 730.00	
Total Insurance:		\$ 188.00	\$ 1,218.00
Taxes (not deducted from wages):		\$ -	\$ -
Child support or alimony:		\$ -	\$ -
Pet Expenses:		\$ 50.00	\$ 50.00
TOTAL MONTHLY EXPENSES:		\$ 5,708.00	\$ 5,283.00

INCOME			Prior Budget*	Current Budget*
Debtor's Gross Income:			\$ 10,200.00	\$ -
Spouse's Gross Income:			\$ -	\$ -
Payroll Deductions:	Prior*	Current*		
Payroll taxes:	\$ 2,550.00	\$ -		
Retirement contributions:	\$ 306.00	\$ -		
Retirement loans:	\$ -	\$ -		
Insurances:	\$ 312.30	\$ -		
Other: Flex Spending	\$ 125.00	\$ -		
Other:	\$ -	\$ -		
Total Payroll Deductions:			\$ 3,293.30	\$ -
Other Regular Income:				
family support or alimony:			\$ -	\$ -
Net income from operation of business (see attachment):			\$ -	\$ -
Family support or alimony:			\$ -	\$ -
Unemployment compensation:			\$ -	\$ -
Social Security:			\$ -	\$ -
Other government assistance:			\$ -	\$ -
Pension or retirement income:			\$ -	\$ -
Prorated Bonus			\$ 218.85	\$ -
TOTAL MONTHLY INCOME:			\$ 7,125.55	\$ -

SUMMARY:

Total Monthly Income (from above):	\$ 7,125.55	\$ -
minus Total Monthly Expenses (from page 1):	\$ (5,708.00)	\$ (5,283.00)
equals Monthly Surplus:	\$ 1,417.55	\$ (5,283.00)
Monthly Plan Payment:	\$ 2,645.50	\$ -
Duration of Plan (months):	60	60
Dividend to Unsecured Creditors (%)	0%	0%

***Explain any increase or decrease in income, expenses, or dividend that exceeds 10%:**

Debtor recently moved and was able to reduce her rent, electricity, and water expenses. Cell phone/cable expenses and auto insurance have increased due to necessity. Transportation expenses have reduced since she is presently unemployed. Debtor has the added expenses of COBRA since she lost her medical insurance with her layoff. Debtor's severance pay was made in a lump sum as reflected in the motion, and is only sufficient to cover living expenses during the suspended months.

/s/Valeria Renee Goodrich
VALERIA RENEE GOODRICH

April 10, 2018
(Date)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)
)
VALERIA RENEE GOODRICH,) CHAPTER: 13
) CASE NO.: 16-02528
) JUDGE: WALKER
Debtor.)

**ORDER GRANTING MOTION TO SUSPEND PLAN PAYMENTS
AND TO MODIFY CHAPTER 13 PLAN**

THIS MATTER IS BEFORE THE COURT upon the Debtor's *Motion to Suspend Plan Payments and to Modify Chapter 13 Plan*, with notice of the proposed action having been given to all necessary parties pursuant to Local Rule 9013-1. It appearing that no objection had been filed in writing within twenty-one (21) days of the filing of the proposed action, the Motion is GRANTED; it is therefore **ORDERED** as follows:

1. The Debtor's plan payments for the months of April, May, and June, 2018, shall be, and hereby are, suspended.
2. Secured creditors Insolve Auto Funding and United States Treasury shall miss three (3) monthly disbursements from the Trustee for their claims during the suspended months.
3. Classified unsecured creditor ECMC shall miss three (3) monthly disbursements from the Trustee for its claims during the suspended months.
4. For July, 2018, through the remaining term of the plan, the Debtor's payments to the Trustee shall be, and hereby are, modified from \$1,221.00 bi-weekly to \$1,304.25 bi-weekly.
5. As a result of the proposed suspension and plan modification, the guaranteed minimum dividend to allowed unsecured claims shall remain zero percent (0%), the plan base shall remain

\$158,700.00, the unsecured pool shall remain non-applicable, and the plan shall complete over a plan length not to exceed sixty (60) months from confirmation.

6. The payment to United States Treasury shall increase from \$246.00 per month to \$264.86 per month upon plan resumption.

7. The Debtor shall continue to dedicate all future income tax refunds to the Trustee for the life of the plan, which shall first be applied towards curing the defaults to secured and classified unsecured creditors. In addition, the case shall continue on a probationary basis subject to dismissal upon application of the Trustee following a future unauthorized default in plan payments.

8. Debtor shall attend the Trustee's Money Management Workshop within 45 days of this Order being entered.

IT IS SO ORDERED.

*THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS
INDICATED AT THE TOP OF THE FIRST PAGE.*

APPROVED FOR ENTRY:

/s/ **Gray Waldron**

TIMOTHY G. NIARHOS

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REBECCA J. YIELDING

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